

IN THE UNITED STATES ARMY
FIRST JUDICIAL CIRCUIT

UNITED STATES)

v.)

MANNING, Bradley E., PFC)
U.S. Army, (b) (6))
Headquarters and Headquarters Company, U.S.)
Army Garrison, Joint Base Myer-Henderson Hall,)
Fort Myer, VA 22211)

**DEFENSE REQUEST FOR
LEAVE TO FILE THE
18 U.S.C. SECTION 793(e)
ON 10 MAY 2012**

DATED: 28 March 2012

1. The Defense requests leave of the Court to file its Motion to Dismiss All Charges Offenses under 18 U.S.C. Section 793(e) until 10 May 2012.

2. The 10 May 2012 filing date is the next filing date for legal motions. Under the Defense's Proposed Case Management Order, we intend to recommend that the Court consider the following motions at the subsequent motions hearing:

a. Proposed Members Instructions, including elements for Article 92, Article 104, Article 134, Specifications 1 through 16;

b. Prosecution Request for Instructions for Lesser Included Offenses;

c. Defense Request for Instructions for Lesser Included Offenses;

d. Government Motion Regarding R.C.M. 701 and M.R.E. 505 (issues dealing with the following: R.C.M. 701(g)(2) review; limited disclosure requests under M.R.E. 505(g)(2); claims of privilege under M.R.E. 505(c); procedures under M.R.E. 505(f); and in camera proceeding under M.R.E. 505(i));

e. Defense Motion to Dismiss 18 U.S.C. Section 1030(a)(1) Offenses;

f. Defense Motion to Dismiss 18 U.S.C. Section 793(e) Offenses; and

g. Updated Proposed Case Calendar

3. The Defense's request will not necessitate any delay in the proceedings. Instead, it simply moves the 18 U.S.C. Section 793(e) motion from being considered on the 24 through 26th April session to the following session. Moreover, this motion will be considered with a similar motion dealing with 18 U.S.C. Section 1030(a)(1) offenses. As such, there is no prejudice to the Government in moving the requested motion, nor is there a delay in the proceedings.

4. The point of contact for this memorandum is the undersigned at (b) (6) or by e-mail at (b) (6)

Respectfully submitted,



DAVID EDWARD COOMBS
Civilian Defense Counsel